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IN THE CLAIMS:

Please cancel Claim 33.

Please replace the claims with the attached amended claims.Please add new Claim 34.**REMARKS**

In the Office Action, dated July 28, 2004, the Examiner states that Claims 13-33 are pending and Claims 13-33 are rejected. By the present Amendment, Applicant amends the claims.

In the Office Action, Claims 13-29, 32 and 33 are rejected under 35 U.S.C. §102(b) as being anticipated by Jansson et al. (NO 1993 3009). Claims 1-33 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jansson et al. in view Keyes (US 4,713,335). The Applicant has amended the claims and considers the amendments overcome the rejections.

The rejections are based upon the Applicant's Norwegian Patent Appl. No. 1993 3009. That reference teaches the process of freezing a biological material containing lipids and proteins, and slowly thawing the material to separate the proteins. From this reference it is also known that if the material is heated to too high of a temperature the protein becomes denatured resulting in decreased quality. Therefore, that reference discloses performing the separating step as the material thaws and becomes fluid. What is taught in the present application but not disclosed in the reference is that the efficiency of the process increases as the viscosity of the material decreases at higher temperatures. Thus, the novelty of the present invention is to thaw the material and increase the temperature of the material to a temperature approaching but below the denaturing temperature of the material to most efficiently process a high quality protein product.

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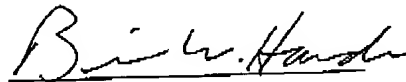
The separating step process taught by the reference is performed at a lower temperature than the process of the present invention. Since the temperature at which the separating step is performed in the reference is well below the denaturing temperature, the denaturing temperature for the material is never observed or determined during that process, since there is not a need to determine the denaturing temperature for that process.

There are two novel steps to the present invention. First, the step of determining the denaturing temperature. Second, increasing the temperature of the material to approach but remain below the denaturing temperature before the separating step is performed to increase the efficiency of the process.

The claims have been amended to clearly claim these novel steps, which the Applicant considers clearly differentiates the present invention from the Applicant's prior art.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,



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